



STATEMENT BY MR. V.K. NAMBIAR, PERMANENT REPRESENTATIVE
ON THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED
BY TERRORISTS ACTS AT THE SECURITY COUNCIL ON APRIL 4,
2003

Mr. President,

Please allow me to congratulate you on your assumption of the Presidency of the Security Council. We have no doubt that your Presidency would allow a careful and responsible consideration of the important issues on the agenda of the Council. I would also like to take this opportunity to congratulate Ambassador Mamady Traoré of Guinea for his adroit stewardship of the Council during a crucial period in the Council's history.

Mr. President,

Let me start by felicitating you on your decision to include an open debate on the critical subject of "threats to international peace and security caused by terrorist acts" on the Council's work schedule. My country, like most others, continues to believe that the main threats to international peace and security today emanate from the uncontrolled ravages of terrorism. It is sufficient to refer to the Council's Presidential Statements issued in recent months in response to terrorist incidents in Bali, Moscow, Mombassa and Bogotá to be able to reinforce this point.

The instruments crafted by the Security Council in the form of Counter-Terrorism and the Taliban/Al Qaeda Committees are critical in so far as they represent among the most serious multilaterally defined and accepted efforts to collectively tackle a growing menace that respects no national boundaries, region or religion.

I wish to take the opportunity here to join other delegations in congratulating Ambassador Sir Jeremy Greenstock for his wholly dedicated and selfless involvement in the task of taking the Counter-Terrorism Committee from a fledgling idea to a recognised landmark in the international fight against

terrorism. The Security Council, the United Nations and the membership it represents, owe a great deal to the structures and solid institutional foundations that Sir Jeremy has laid down in the form of the CTC. We are confident that Ambassador Arias, with his proven competence, will take the Committee to ever greater heights of achievement and effectiveness that the second and subsequent stages of the CTC's functioning call for.

Mr. President,

My delegation has consistently and unequivocally supported a strong international stance against terrorism. My country believes that terrorism is a common foe to all peoples, beliefs and religions as also of democracy, pluralistic societies and peace. But this view is not confined to India alone. The countries that participated at the second Ministerial Meeting of the Community of Democracies in Seoul in November 2002 agreed that "terrorism constituted a threat to international peace and security as well as to humanity in general and indeed the very foundation on which democratic societies are built". They also underscored that "terrorism could not be justified by any cause or under any circumstances". Similar language undergirds Security Council resolution 1456 adopted earlier this year.

India's experience of being at the receiving end of externally-sponsored terrorism has demonstrated to us the unalloyed terrorist goal of disrupting normal peaceful functioning of societies as a cynical tactic for the achievement of their political objectives. They therefore choose to launch their attacks upon places of worship, parliamentary institutions and public transportation and to target voters and candidates engaged in democratic electoral processes, as well as isolated and vulnerable minority communities, women and children. In the past two decades India has lost 60,000 of its citizens to cross-border terrorism in the Punjab, in Jammu & Kashmir and other parts of the country.

Only a few days ago, 24 members of a village in the Indian State of Jammu & Kashmir, 11 men, 11 women and 2 infants, were ordered out of their homes and massacred by terrorists in full view of the entire village. Their sole qualification for being targeted for this extraordinary fate was that they were Kashmiri *pandits* professing the ancient faith of their land. The objective of the exercise was a selective "cleansing" through mass murder which has been the objective of these terrorist groups and their sponsors all along: to attack the basis of a secular state; to attack the fabric of a society that has lived peacefully together for centuries in inter-communal harmony. Laced with the potent stimulant of fundamentalism and religious extremism, this is the hallmark of the terror being unleashed on India. What other rationale can explain the attempt to replace the prevalent peaceful "sufi" religious beliefs traditionally practised in many parts of Jammu & Kashmir by the fanatical and uncompromising dictates of

a purported orthodoxy that requires an enforced adherence to repressive social restrictions and vile impositions against women and society?

This incident has been noticed, indeed condemned around the world. What has gone unnoticed, however, is the tremendous restraint and composure displayed by the Government of India and indeed the various communities in India in not being provoked to reacting disproportionately to this event as, all too often, can happen in situation like this one that inflames religious and communal passions around the country. By behaving maturely, our common people have responded wisely to this latest terrorist outrage. I wish to assure you, Mr. President, that much as we condemn the evil of terrorism, we are conscious in this context as much of nietzche as indeed of the Buddha and of Mahatma Gandhi. We are confident that our democracy offers systemic safeguards that would prevent us from becoming mirror images of the "monster" we oppose.

Unfortunately, despite assurances purveyed at the highest levels, the one country, that has today emerged as "the epicenter of terrorism" and is responsible for this situation, this one country remains unprepared to live up to its public pronouncements and commitments made to the international community and to the Counter Terrorism Committee.

Mr. President,

My Government has consistently pointed out that the purpose of establishing credible multilateral instruments to counter terrorism is not only to equip States to fight terrorism effectively but also to identify those states that contravene the provisions of Security Council resolutions in their sponsorship, support and encouragement to terrorism. India finds it difficult to accept a situation in which a country professes to be part of the global coalition against terror on the one hand, while continuing to aid, abet and sponsor terrorism on the other. The global fight against terrorism, spurred in large part due to the horrors of the attacks of September 11, no longer leaves any space for ambiguity in a state's record on terrorism. The time for double standards is over!

India has held the view that the Counter-Terrorism Committee needs to move beyond the stage of reporting on to the stage of identifying, if not enforcing, violations of resolutions 1373, 1456 and other relevant Security Council resolutions. Sub-paragraphs 2(b), (d) and (e) and 3(a) of resolution 1373 make specific references to cross-border or transnational terrorism. These provisions of resolution 1373 oblige Member States to take action to prevent facilitation of terrorism against other States. We have noted that facile and mendacious assertions of the fulfillment of obligations under 1373 form an integral part of the report of at least one respondent that has done nothing to

fulfill its commitments, both stated and statutory. This has not gone unnoticed by the international community.

Mr. President,

India attaches the highest priority to the functioning of the Counter-Terrorism Committee. It is in this spirit that we wish to make a few comments and pose a few questions, the responses to which, we hope, should contribute towards the Committee's functioning. Our questions are the following:

- (i) While there is universal appreciation of the work of the CTC in seeking to have the proper legislative framework in place to implement resolution 1373, has the CTC considered the question of how to deal with a situation where a Member State is not enforcing effective compliance by concrete actions even while professing to do so in its responses to the Committee?
- (ii) While proceeding to Stage-B of its implementation of 1373, how would the CTC ensure that it would receive relevant information and assistance from Member States while at the same time avoiding an intrusiveness that could impinge on the secrecy of information and procedures followed in counter-terrorism measures by the States concerned?
- (iii) While following international standards, such as those of FATF, can the CTC take into account the need for internationally negotiated and agreed arrangements acceptable to all Member States?
- (iv) While the CTC's meeting of the international and regional organisations was a successful venture in securing the participation of the invitees involved, could the CTC, in future, consider a more representative regional balance? At the same time, must the Committee not also note that not all regional organisations have the mandate of the countries they represent to engage in any discussions on the subject of terrorism?
- (v) While it is understood that the CTC does not need to move at the speed of the slowest Member, it would need to consider whether it is desirable to move at the speed of the fastest either. Shouldn't the Committee be seeking to avoid a situation where the overwhelming majority of States having fulfilled their obligations under Stage-A belong predominantly to the more developed regions of the world while those striving to comply with the requirements represent the developing world?

- (vi) While the CTC's matrix of assistance does provide a useful assessment of assistance on offer, shouldn't the Committee be examining whether bilateral assistance offered by one or two countries are truly representative of the entire gamut of assistance in this area offered at a bilateral level?

Mr. President,

India has made considerable efforts to work with the international community in its fight against terrorism. India is a party to all 12 international conventions on terrorism. The Government of India has decided very recently to ratify the International Convention for Suppression of the Financing of Terrorism. India's proposal for the early conclusion of a Comprehensive Convention against International Terrorism has been under active consideration of the Sixth Committee of the General Assembly. The recent Summit of the Non-Aligned Movement and the Commonwealth Law Ministers' meeting reiterated the need for the early conclusion of the Convention and called upon all States to cooperate in resolving the outstanding issues. We are confident that the mutual interest of Member States will enable the Convention to be approved as a useful and effective multilateral instrument in the near future.

Mr. President,

Let me once again reiterate our warmest appreciation for the work of Sir Jeremy in the Counter Terrorism Committee. We wish him all success and have no doubt that he will apply his boundless energy, valuable experience and the rare qualities of an outstanding diplomat to whichever pursuit he chooses to engage in after July this year. We also wish to warmly welcome Ambassador Arias to the Chair of this prestigious and critical Committee and wish him the very best in his endeavor. I assure him that my delegation will be prepared to offer him whatever assistance he may require of us in the effective fulfillment of his high function.

Thank you, Mr. President.

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